

509A.13C Health care coverage for surviving spouse and children of fire fighters and peace officers killed in the line of duty.

1. For the purposes of [this section](#), “*eligible peace officer or fire fighter*” means a peace officer as defined in [section 801.4](#), or a fire fighter, to which a line of duty death benefit is payable pursuant to [section 97A.6, subsection 16](#), [section 97B.52, subsection 2](#), or [section 411.6, subsection 15](#).

2. *a.* If a governing body, a county board of supervisors, or a city council has procured accident or health care coverage for its employees under [this chapter](#), such coverage shall permit continuation of existing coverage or reenrollment in previously existing coverage for the surviving spouse and each surviving child of an eligible peace officer or fire fighter.

b. A governing body, a county board of supervisors, or a city council shall also permit continuation of existing coverage for the surviving spouse and each surviving child of a peace officer as defined in [section 801.4](#), or a fire fighter who dies and to which a line of duty death benefit is reasonably expected to be payable pursuant to [section 97A.6, subsection 16](#), [section 97B.52, subsection 2](#), or [section 411.6, subsection 15](#), until such time as the determination of whether to provide a line of duty death benefit is made.

3. A governing body, a county board of supervisors, or a city council providing accident or health care coverage under [this section](#) shall not be required to pay for the cost of the coverage. However, a governing body, a county board of supervisors, or a city council may pay the full cost or a portion of the cost of the coverage. If the full cost of the coverage is not paid, a surviving spouse and each surviving child eligible for coverage under this section may elect to continue accident or health care coverage by paying that portion of the cost of the coverage not paid by the governing body, county board of supervisors, or city council.

4. A governing body, a county board of supervisors, or a city council shall notify the provider of accident or health care coverage for its employees of a surviving spouse and each surviving child to be provided coverage pursuant to the requirements of [this section](#).

5. [This section](#) shall not require continuation of coverage if the surviving spouse or surviving child who would otherwise be entitled to continuation of coverage under [this section](#) was, through the surviving spouse’s or surviving child’s actions, a substantial contributing factor to the death of the eligible peace officer or fire fighter.

[2018 Acts, ch 1172, §76, 78, 79](#)

Section applies retroactively to a death occurring on or after January 1, 1985; 2018 Acts, ch 1172, §78, 79
NEW section